

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 11 March 2025

DOCKET NUMBER: AR20240006794

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show a different date of birth (DOB).

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- Certification of Vital Record - Texas
- NGB Form 22 (Report of Separation and Record of Service)
- Excerpt of Department of Veterans Affairs (VA) Rating Decision

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.

2. The applicant states he wishes to have his DD Form 214 corrected to reflect the correct DOB of [REDACTED]. He has applied to receive VA benefits and would like the correction to ensure his personnel records match.

3. The applicant provides:

a. His Certification of Vital Record which lists his DOB as [REDACTED] the requested DOB.

b. His NGB Form 22 shows the applicant served in the Texas Army National Guard (TXARNG) from 10 June 1960 through 9 June 1964. Block 10 (Date of Birth) shows XX [REDACTED] the contested DOB.

c. An excerpt of his VA Rating Decision shows the applicant receives a combined evaluation of 30% "or more" for disability.

4. A review of the applicant's service record shows:

a. He enlisted in the TXARNG on 10 June 1960. His DD Form 4 (Enlisted Record – Armed Forces of the United States) shows in Block 15 (Date of Birth) the contested DOB.

b. His DA Form 20 (Enlisted Qualification Record) shows in Block 3 (Date of Birth) the contested DOB.

c. He entered active duty for training on 3 September 1960.

d. He was honorably released from active duty on 2 March 1961. His DD Form 214 shows he completed 6 months of active service. It also shows in Block 6 (Date of Birth) the contested DOB of [REDACTED]

5. By regulation, the purpose of the DD Form 214 is to provide the individual with documentary evidence of active military service and to furnish a vital record for interested government agencies. The information entered thereon reflects the conditions as they existed at the time of separation. All available records will be used as a basis for the preparation of DD Form 214a (Worksheet), including DA Form 24 (Service Record), DA Form 20 (Enlisted Qualification Record), DA Form 66 (Officer Qualification Record), and court-martial orders, when appropriate. Item 16 (Date of Birth), self-explanatory by regulation.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. One potential outcome discussed was to grant relief based upon the applicant's statement and the provided birth certificate. However, based upon the available documentation within the applicant's military record showing the contested date of birth throughout and a lack of an explanation from the applicant as to how the contested date of birth was initiated placed in the record, the Board concluded there was insufficient evidence of an error or injustice warranting a change to the applicant's date of birth.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

: : : GRANT FULL RELIEF

: : : GRANT PARTIAL RELIEF

: : : GRANT FORMAL HEARING

■ ■ ■ DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

X//Signed//

CHAIRPERSON

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Title 10, U.S. Code, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.

2. Army Regulation 635-5 (Separation Documents) states the purpose of the DD Form 214 is to provide the individual with documentary evidence of active military service and to furnish a vital record for interested government agencies. The information entered thereon reflects the conditions as they existed at the time of separation. All available records will be used as a basis for the preparation of DD Form 214a (Worksheet), including DA Form 24 (Service Record), DA Form 20 (Enlisted Qualification Record),

DA Form 66 (Officer Qualification Record), and court-martial orders, when appropriate.
Item 16 (Date of Birth), self-explanatory by regulation.

//NOTHING FOLLOWS//